

Amendments to the Drawings

Two Replacement Sheets are enclosed herewith, including revised formal drawings for Figures 2 and 8.

Figure 2 has been amended to change reference numeral 47 to reference numeral 49.

Figure 8 has been amended to change reference numeral 47 to reference numeral 49 and to change reference numerals 95 and 88 to 95' and 88', respectively. Figure 8 has also been amended to indicate friction disk 110 in solid outlines.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 5-7 are pending in the application, with claims 5 and 6 being the independent claims. The amendments above are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Declaration

The Examiner has objected to the declaration and power of attorney as being defective because the title of the application is omitted. A substitute Declaration and Power of Attorney is enclosed herewith.

Objection to the Specification

The specification has been objected to as not providing proper antecedent basis for the recitation in claim 5 that the power take-off transmits a rotational force that is synchronous with the rotation of the first axles. Claim 5 has been amended to recite that the power take-off is for taking off rotational force synchronous with an input to the first axles. Such a recitation is supported at least by FIG. 1 of the application wherein the power take-off (15) takes off power synchronous with an input (53) (from output gear (51)) to the axles (8). Applicant therefore respectfully requests that the objection be withdrawn.

Objections to the Drawings

Figures 2 and 8 have been objected to because the top pinion gear inside of the differential casing 45 is labeled 49 and the bottom pinion gear inside of the differential casing 45 is labeled 47. Paragraph 50 of the specification identifies both pinion gears together as 49. The enclosed Replacement Sheets change the reference numeral for the bottom pinion gear to 49, so as to be consistent with the specification.

Figure 8 was also objected to because reference numerals 95 and 88 should be 95' and 88' respectively. The enclosed Replacement Sheet makes the appropriate correction to Figure 8.

Further, Figure 8 has been amended in the attached Replacement Sheet to indicate friction disk 110 in solid outlines.

In view of the Replacement Sheets and the above comments, Applicant respectfully requests that the objection be withdrawn.

Objections to the Claims

Claim 5 has been objected to for various informalities. Claim 5 has been amended to address these informalities. Accordingly, Applicant respectfully requests that the objection be withdrawn.

Rejections under 35 U.S.C. § 112

Claim 6 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. In particular, the Examiner rejected claim 6 because claim 5 recites that operation of the common brake operator causes each of the first and second brake devices to be simultaneously actuated, while claim 6 recites that the second brake device remains

unactuated when the common brake operator is operated. Claim 6 has been rewritten in independent form and recites that the pair of first brake devices and said second brake devices *can be* simultaneously actuated for braking by operating the common brake operation device. Claim 6 is therefore consistent. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 5 and 7 have been rejected under 35 U.S.C. § 102(b) as being anticipated by the Teraoka patent (US 4,899,859). Independent claim 5 has been amended to recite that the first transaxle includes a first transaxle housing, and that the first axles and first differential section are disposed in the first transaxle housing. Claim 5 further recites that the PTO section is externally attached to the first transaxle housing. Claim 5 further recites that the second transaxle includes a second transaxle housing, and that the second axles and second differential section are disposed in the second transaxle housing. Claim 5 further recites that an input section for transmitting the rotational force of the PTO section of the first transaxle to the second differential section is disposed in the second transaxle housing. Claim 5 further recites a brake system comprising a pair of first brake devices for braking the first axles disposed in the first transaxle housing and a second brake device for braking the input section of the second transaxle disposed in the second transaxle housing. The Teraoka patent does not disclose such an arrangement.

In particular, the Teraoka patent does not disclose a pair of first brake devices disposed in the first transaxle housing. The Examiner relies on the hydraulic passages (149, 151) of Teraoka as disclosing front and rear brake devices. However, there is no teaching in Teraoka that either of these brake devices comprises a pair of brake devices.

Further, the Teraoka patent does not disclose or suggest that the brake devices would be disposed in the transaxle housings.

Further, the Examiner relies on the direction converting assembly (55) of Teraoka as the PTO recited in the claims. As claim 5 recites that the PTO is attached to an exterior of the first transaxle housing, transaxle housing (7) of Teraoka must be the first transaxle housing of the claims. Thus, the second transaxle housing of claim 5 must be the housing for rear wheel final reduction gear device (165) of the Teraoka patent. However, claim 5 further recites that the second brake device for braking the input section of the second transaxle is disposed in the second transaxle housing. There is no brake device disposed in the second transaxle housing of the Teraoka patent.

For at least the reasons stated above, the Teraoka patent does not disclose each and every feature recited in independent claim 5 of the present application, and therefore cannot anticipate claim 5. Claim 7 depends from claim 5 and adds features thereto. Accordingly, the Teraoka patent does not anticipate claim 7 for at least the same reasons it does not anticipate claim 5. Applicant therefore respectfully requests that the rejection be withdrawn.

Double Patenting

Claims 5 and 7 have been rejected for obviousness-type double patenting in view of claims 1-4 of U.S. Patent No. 6,634,446 and in view of the Teraoka patent. As noted above with respect to the § 102 rejection, the Teraoka patent does not teach or suggest the brake system recited in independent claim 5 of the present application. Claims 1-4 of the '446 patent do not recite the brake system of claim 5 of the present application. Accordingly, Applicants respectfully requests that the rejection be withdrawn.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claim 6 includes allowable subject matter, and would be allowable if rewritten to overcome the § 112 rejections and including all the features of the base claim. Claim 6 has been rewritten in independent form incorporating the features recited in original claim 5, and overcoming the § 112 rejection. As such, claim 6 is in condition for allowance.

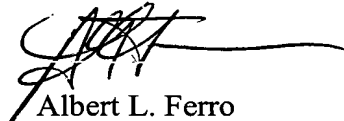
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'ALF', with a long horizontal flourish extending to the right.

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